

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

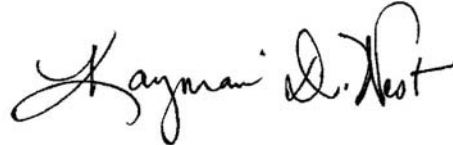
James G. Blakely,)	C/A No. 5:12-01214-MBS-KDW
a.k.a. James Gatewood Blakely,)	
a.k.a. Jimmy G. Blakely;)	
)	
Plaintiff,)	
)	Report and Recommendation
v.)	
)	
Dr. Moore; Nurse Enloe, A; Warden M.)	
McCall; A/W S. Claytor; Dr. Amonitti, G;)	
Warden McCabe,)	
)	
Defendants.		

Plaintiff, proceeding pro se and *in forma pauperis*, brought this action alleging violations of his constitutional rights pursuant to 42 U.S.C. § 1983. Defendants McCabe and Moore filed a Motion for Summary Judgment on September 26, 2012. ECF No. 48. As Plaintiff is proceeding pro se, the court entered an order on September 27, 2012, pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), advising Plaintiff of the importance of a motion for summary judgment and of the need for him to file an adequate response. ECF No. 49. Plaintiff was informed that his response was due by November 1, 2012, and was specifically advised that if he failed to respond adequately, Defendants Moore and McCabe's motion may be granted, thereby ending his case. Notwithstanding the specific warning and instructions set forth in the court's *Roseboro* order, Plaintiff has failed to respond to the motion.

On November 7, 2012, the court ordered Plaintiff to advise whether he wished to continue with the case by November 26, 2012. ECF No. 57. Plaintiff has filed no response. As such, it appears to the court that Plaintiff does not oppose Defendants Moore and McCabe's

motion and wishes to abandon his action. Based on the foregoing, the undersigned recommends that this action against Defendants Moore and McCabe be dismissed with prejudice for failure to prosecute, thereby ending this matter. *See Davis v. Williams*, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b).

IT IS SO RECOMMENDED.

A handwritten signature in black ink, reading "Kaymani D. West". The signature is written in a cursive, flowing style.

November 28, 2012
Florence, South Carolina

Kaymani D. West
United States Magistrate Judge

**The parties are directed to note the important information in the attached
“Notice of Right to File Objections to Report and Recommendation.”**